

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA, *ex.*  
*rel.* KRAH PLUNKERT, *et al.*

Plaintiffs,

v.

MARYLAND BROADBAND  
COOPERATIVE, *et al.*,

Defendants.

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FILED UNDER SEAL

Civ. No. SAG-19-3375

**UNITED STATES OF AMERICA’S  
NOTICE OF ELECTION TO DECLINE INTERVENTION**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States of America notifies the Court of its decision not to intervene in this action.

Although the United States of America declines to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(c)(3), which allows the relator to maintain the action in the name of the United States of America; providing, however, that the “action may be dismissed only if the Court and the Attorney General give written consent to the dismissal and their reasons for consenting.” 31 U.S.C. § 3730(b)(1). Therefore, the United States of America requests that, should either the relator or the defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court solicit the written consent of the United States of America before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States of America requests that all pleadings filed in this action shall be served upon the United States of America; the United

States of America also requests that orders issued by the Court be sent to the Government's counsel. The United States of America reserves the right to order any deposition transcripts, to intervene in this action, for good cause, at a later date, and to seek dismissal of the relator's action or claim. The United States of America also requests that it be served with notices of appeal.

Finally, the United States of America requests that the relator's Complaint, this Notice, and the attached proposed Order be unsealed. The United States of America requests that all other papers on file in this action remain under seal because in discussing the context and extent of the United States of America's investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this Notice.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on March 24, 2023, a copy of the foregoing *United States of America's Notice of Election to Decline Intervention* and proposed order concerning same was served, via email and/or U.S. mail, first class, postage prepaid, on:

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